



THOMAS L. GARTHWAITE, M.D.
Director and Chief Medical Officer

COUNTY OF LOS ANGELES
DEPARTMENT OF HEALTH SERVICES
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BOARD OF SUPERVISORS

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December 8, 2005

Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**DEPARTMENT OF HEALTH SERVICES REQUEST TO AMEND SECTION
2.180.010 OF THE LOS ANGELES COUNTY CODE PERTAINING TO
CONTRACTING WITH FORMER COUNTY EMPLOYEES
(All Districts – 3 Votes)**

IT IS RECOMMENDED THAT YOUR BOARD:

Approve the revisions to Section 2.180.010 of the Los Angeles County Code to permit contracts with physician residents or fellows who were employed by the County of Los Angeles within the 12 month period preceding the proposed contract.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION:

Approval of this action will allow the Department of Health Services to offer physician specialty contract positions to former physician residents and/or fellows who have completed their training and left County employment within the past 12 months. Presently, once a physician resident or fellow has completed his or her training, that individual is terminated from the temporary County position on which he or she sits. This action will support the Department's efforts to maintain the involvement of these physicians in the County health care delivery system once they have completed their medical education.

Implementation of Strategic Plan Goals:

The recommended ordinance change will satisfy Goals #1, Service Excellence, #2 Workforce Excellence, and #3, Organizational Effectiveness, of the County Strategic Plan.

FISCAL IMPACT/FINANCING:

The Department is unable to determine the fiscal impact at this time, as it is dependent upon utilization by the hospitals. Contracts with these physicians will be let using the existing Board-approved Physician Specialty Medical Services Agreements and the current rates allowable under these agreements. For general medical specialties the maximum hourly rate is \$125 per hour. The maximum hourly rate for hard-to-recruit specialties, such as anesthesiology or cardiovascular surgery, was recently increased by your Board to \$225.

FACTS AND LEGAL PROVISIONS/LEGAL REQUIREMENTS:

The current ordinance prohibits contracting with any current or former County employee who was employed by the County within the 12 months period preceding the proposed contract. This prohibition has limited the ability of DHS facilities to secure the services of former residents on an as-needed basis to cover clinical service needs.

The proposed amendment would allow DHS to enter into agreements with physician residents and fellows who were employed by the County within this 12 month period. Because these individuals are employed on a temporary item that is tied to their enrollment in an accredited training program, once their education ends, they are no longer able to remain as County employees.

Additionally, resident physicians and fellows do not have the appropriate certification to qualify for a permanent position as a Physician Specialist, MD. The scope of responsibility and job duties of a resident are substantially different from those of an attending physician. Further, resident physicians are not eligible during their training to take the necessary Medical Specialty Board examinations that would qualify them for a permanent position. As a result, residents cannot be hired as attending physicians within the Department until their residency or fellowship is completed.

Further, current service demands in DHS hospitals require substantial flexibility to bring on supplemental physician coverage. These newly-graduated physicians are an excellent pool from which to obtain these services, as many of these physicians

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are interested in providing services on supplemental, as-needed basis, as opposed to as an employed physician. This action will support the Department's efforts to continue the participation of these physicians in the County health care delivery system once they have completed their medical education.

Under the current ordinance language, the Department can request that the Board find that "special circumstances" exist that justify approval of such a contract. Approval of the proposed amendment would allow the Department would be able to process individual physician specialty contracts using the existing form agreement without having to obtain Board approval of an exception for each individual contract that may be offered to a former resident.

CONTRACTING PROCESS:

Not applicable.

IMPACT ON CURRENT SERVICES (OR PROJECTS):

Approval of the proposed ordinance amendment will provide the Department with greater flexibility in obtaining necessary as-needed physician services.

Respectfully submitted,



Thomas L. Garthwaite, MD
Director and Chief Medical Officer

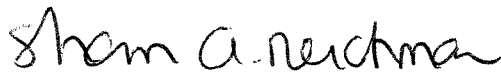
TLG:ak

c: Chief Administrative Officer
County Counsel
Executive Officer, Board of Supervisors

ANALYSIS

An ordinance amending Title 2, Administration, of the Los Angeles County Code, to permit contracts with physician residents and fellows who were employed by the County of Los Angeles within the twelve month period preceding the proposed contract.

RAYMOND G. FORTNER
County Counsel

By 
SHARON A. REICHMAN
Principal Deputy County Counsel

SAR: sar

Requested 11/15/05
Revised 11/16/05

ORDINANCE NO. _____

An ordinance amending Title 2 - Administration of the Los Angeles County Code, to permit contracts with physician residents and fellows who were employed by the County of Los Angeles within the twelve month period preceding the proposed contract.

The Board of Supervisors of the County of Los Angeles ordains as follows:

SECTION 1. Section 2.180.010 is hereby amended to read as follows:

2.180.010 Certain contracts prohibited.

A. Notwithstanding any other section of this code, the county shall not contract with, and shall reject any bid or proposal submitted by, the persons or entities specified below, unless the board of supervisors finds that special circumstances exist which justify the approval of such contract:

1. Employees of the county or of public agencies for which the board of supervisors is the governing body;

2. Profit-making firms or businesses in which employees described in subdivision 1 of subsection A serve as officers, principals, partners or major shareholders;

3. Persons who, within the immediately preceding 12 months, came within the provisions of subdivision 1 of subsection A, and who:

a. Were employed in positions of substantial responsibility in the area of service to be performed by the contract; or

b. Participated in any way in developing the contract or its service specifications; and

4. Profit-making firms or businesses in which the former employees, described in subdivision 3 of subsection A, serve as officers, principals, partners or major shareholders.

B. The prohibition of this section 2.180.010 shall not apply to a contract with an individual who was formerly employed by the county as a physician resident or fellow.

BC. Contracts submitted to the board of supervisors for approval or ratification shall be accompanied by an assurance by the department submitting, district or agency that the provisions of this section have not been violated.

Los Angeles County Chief Administrative Office
Grant Management Statement for Grants Exceeding \$100,000

Department: Health Services

Grant Project Title and Description

Notice of Grant Award for Comprehensive Sexually Transmitted Disease (STD) Prevention Systems (CSPS)

Funding Agency	Program (Fed. Grant #/State Bill or Code #)	Grant Acceptance Deadline
CDC	H25/CCH904366-14-1	12-31-05

Total Amount of Grant Funding: \$944,840 County Match Requirements None

Grant Period: 1/1/05-12/31/05 Begin Date: 01/01/05 End Date: 12/31/05

Number of Personnel Hired Under this Grant: 3 Full Time 3 Part Time 0

Obligations Imposed on the County When the Grant Expires

Will all personnel hired for this program be informed this is a grant funded program? Yes X No

Will all personnel hired for this program be placed on temporary ("N") items? Yes X No

Is the County obligated to continue this program after the grant expires Yes No X

If the County is not obligated to continue this program after the grant expires, the Department will:

a). Absorb the program cost without reducing other services Yes No X

b). Identify other revenue sources Yes X No

(Describe) Apply for other grants as appropriate.

c). Eliminate or reduce, as appropriate, positions/program costs funded by this grant. Yes X No

Impact of additional personnel on existing space: None

Other requirements not mentioned above Not Applicable

Department Head Signature _____

Date _____